

# **California Integrated Waste Management Board**

## **Board Meeting**

**March 15-16, 2005**

### **AGENDA ITEM 27**

#### **ITEM**

Consideration Of A Revised Full Solid Waste Facilities Permit (Transfer/Processing Station) For The Elder Creek Transfer Station, Sacramento County

#### **I. ISSUE/PROBLEM STATEMENT**

1. This item requests Board concurrence on the revised Elder Creek Transfer Station solid waste facilities permit.
2. Pursuant to Public Resources Code, Section 44009, the Board has 60 calendar days to concur in or object to the issuance of a full solid waste facilities permit. A proposed permit for this facility was submitted to the Board on February 2, 2005. The date for submittal of a proposed permit that would allow a full 60 days for Board review prior to the March Board meeting was January 15, 2005. The Board has until April 3, 2005 to act on this permit. When the proposed permit package was received, the package contained all of the items required in Title 27, CCR, Section 21685.

#### **II. ITEM HISTORY**

- The Board last concurred with a revised permit for the facility in 2001.
- Compliance History:
  - 2000 - 0 State Minimum Standards (SMS)
  - 2001 - 1 SMS
  - 2002 - 2 SMS
  - 2003 - 1 SMS
  - 2004 - 1 SMS
  - 2005 - 0 SMS (January)

The five violations of the State Minimum Standard (SMS) from 2000 through 2004 are explained on page 3, in the Consistency with the SMS portion of this agenda item.

#### **III. OPTIONS FOR THE BOARD**

The Board may decide to do one of the following:

1. Concur in the issuance of the proposed permit as submitted by the LEA.
2. Object to the issuance of the proposed permit as submitted by the LEA and direct staff to inform the LEA in writing of the reason for objection.
3. Take no action on the proposed permit as submitted by the LEA. If the Board chooses this option, the Board shall be deemed to have concurred in the issuance of the proposed permit 60 days after the Board's receipt of the permit.

#### **IV. STAFF RECOMMENDATION**

Staff recommend that the Board adopt option one, concurrence in the issuance of the proposed permit.

#### **V. ANALYSIS**

##### **A. Key Issues and Findings**

Facility Name: Elder Creek Transfer Station  
Facility No. 43-AA-0033

Facility Type:	Large Volume Transfer/Processing Facility
Location:	8642 Elder Creek Road, Sacramento, California
Setting:	The surrounding land use to the south and west are primarily zoned for industrial and commercial/warehouses uses. On the east is currently undeveloped industrial zoned land with one non-residential zoned building approximately 1000 feet from the site.
Operational Status:	Active, permit issued in 2001
Current Acreage:	19.26
Current Hours of Operation:	Waste Receipt: 6:00 a.m. to 5:00 p.m., Monday – Friday, 8:00 a.m.- 5:00 p.m., Saturday and Sunday. Waste Processing: 24 hours, 7 days per week
Current tonnage:	2000 tons per day
Proposed tonnage:	2500 tons per day
Current Traffic Volume:	1007 Vehicles Per Day
Operator/Owner:	Mr. Jerry Mayberry, General Manager Allied Waste Industries
LEA:	Mr. Mel Knight, Director County of Sacramento Department of Environmental Health

### **Background**

The facility was originally operating under a full permit issued in 1995. The 1995 permit allowed a maximum of 500 tons per day to recover, transfer and compost. In May 1999, the permit was revised to change the operator, increase the permitted peak daily tonnage to 2000, and terminate the compost operation. The permit was revised in 2001 to change the hours of operation.

### **Key Issues**

The proposed revised permit is to allow the following change:

- Increase the maximum daily tonnage from 2000 to 2500 tons per day.

### **LEA Certification:**

The LEA has indicated the following:

- The permit application package is complete and correct;
- The Transfer/Processing Report (TPR) meets the requirements of Title 14, CCR, Section 18221.6; and
- The proposed permit is consistent with and is supported by existing CEQA analysis.

### **Staff Analysis:**

The following table summarizes Board staff's review and analysis of the proposed permit application package:

<b>34-AA-0033</b> Summary of Board Findings	Accept- able	Unaccept- able	To Be Deter- mined	Not Applic- able	See Details Below
CIWMP Conformance (PRC 50001)	√				<b>1</b>
Consistency With State Minimum Standards	√				<b>2</b>
TPR Completeness	√				<b>3</b>
California Environmental Quality Act	√				<b>B</b>

1. Conformance with County Integrated Waste Management Plan (CIWMP):

Public Resources Code (PRC) Section 50001 requires that the location of any new or expanded non-disposal facility be identified in the applicable jurisdiction's non-disposal Facility Element (NDFE) for the proposed permit. Staff of the Board's Office of Local Assistance (OLA) find that the proposed permit is in conformance with the County's NDFE.

2. Consistency with State Minimum Standards (SMS):

On January 27, 2005, Board staff conducted an inspection at the facility with the LEA and found that the facility operation was consistent with the applicable state minimum standards.

The 5 violations of the SMS the LEA cited from 2000 through 2004 were for issues related to litter, drainage, and vectors.

3. TPR Completeness:

Board staff have reviewed the Transfer/Processing Report and determined the document meets the requirement of 14 CCR, section 18221.6.

**B. Environmental Issues**

The City of Sacramento, acting as lead agency, prepared the following environmental document (ED) for CEQA compliance for the permit revision for the Elder Creek Transfer Station Transfer Processing Facility Solid Waste Facility Permit No. 34-AA-0033:

- Draft Environmental Impact Report, State Clearinghouse No. 1998012047 for the Sacramento Recycling Park, dated July 10, 1998. The document describes a transfer operation located on a 19.26 acre site on the south side of Elder Creek Road between Florin Perkins Road and South Watt Avenue in the City of Sacramento. Operations will be located within a single 81,000 square foot building and would be designed to handle a daily throughput of 2,500 tons per day. Hours are listed as 6 a.m. to 5 p.m. Monday through Sunday.

The document was certified by the Sacramento City Council on October 20, 1998. The Local Enforcement Agency's findings regarding the proposed project for this facility are cited in Section 13.e. of the proposed Solid Waste Facility Permit. The City of Sacramento made a finding that the surrounding land use is compatible with facility operations.

The Sacramento Planning Commission made a finding on September 9, 2004 that the Environmental Impact Report was adequate for the proposed expansion and that the project would not require a change to the EIR. The Planning Commission modified Special Use Permit P67-095 to allow 2500 tons per day at the facility. Based on the information above, Board staff recommends the environmental document cited above as adequate for the Board's environmental evaluation of the proposed project for those

project activities which are within the Board's expertise and/or powers, or which are required to be carried out or approved by the Board.

**C. Program/Long Term Impacts**

Based on available information, staff is not aware of any program impacts related to this item.

**D. Stakeholder Impacts**

Based on available information, staff is not aware of any stakeholder impacts related to this item.

**E. Fiscal Impacts**

No fiscal impact to the Board results from this item.

**F. Legal Issues**

Based on available information, staff is not aware of any legal issues related to this item.

**G. Environmental Justice**

Community Setting:

The site is bounded to the south and west is primarily zoned for industrial and commercial/warehouses uses. On the east is currently undeveloped industrial zoned land with one non-residential zoned building approximately 1000 feet from the site.

According to the 2000 census, the population of Census Tract 51.03 consists of the following:

US Census Bureau Data Census 2000 – Race, Census Tract 51.03 County of Sacramento, California	All Ages	
	Number	Percent
White	556	81
Black or African American	12	1.7
American Indian and Alaska Native	3	0.4
Asian	73	10.6
Native Hawaiian & Other Pacific Islander	16	2.3
Some other race	0	0
Two or more races	26	3.8
Total Population	686	100

19.5% of the population in Census Tract 51.03 identify themselves as Hispanic or Latino. The median household income of the residents in the 2000 census was \$32,955 and approximately 14.7% of the families were below the poverty level.

Community Outreach:

On December 8, 2004, the LEA held a public hearing, according to the requirements of AB 1497. The LEA reported that traffic in the Power Inn Road corridor was raised as an issue at the public hearing. At the hearing it was identified that the permitted vehicular traffic was not going to increase from the current permit. The existing CEQA document addressed the current permitted traffic volumes for the facility.

Environmental Justice Issues:

Based on available information, staff is not aware of any environmental justice issues related to this project

**H. 2001 Strategic Plan**

Staff work on new or revised solid waste facility permits is completed as part of Goal 4: Managing and mitigating the impacts of solid waste on public health and safety and the environment and promoting integrated and consistent permitting, inspection, and enforcement efforts.

**VI. FUNDING INFORMATION**

This item does not require any Board fiscal action.

**VII. ATTACHMENTS**

1. Site Location Map
2. Site Plan
3. Proposed Permit Number. 34-AA-0033
4. Resolution Number 2005-60

**VIII. STAFF RESPONSIBLE FOR ITEM PREPARATION**

**A. Program Staff:** Beatrice C. Poroli

**Phone:** (916) 341-6411

**B. Legal Staff:** Michael Bledsoe

**Phone:** (916) 341-6058

**C. Administration Staff:** None

**Phone:** N/A

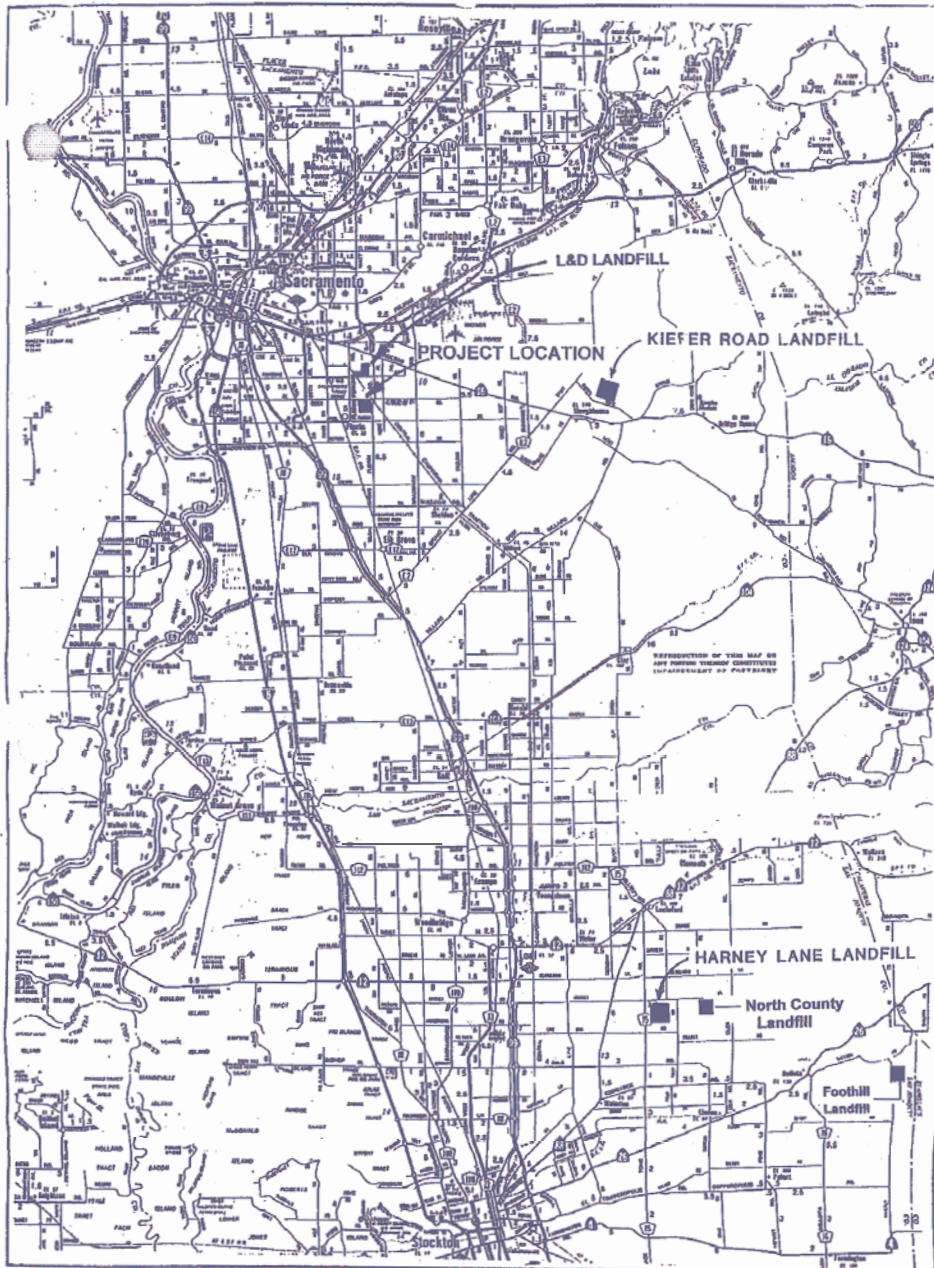
**IX. WRITTEN SUPPORT AND/OR OPPOSITION**

**A. Support**

Staff had not received any written support at the time this item was submitted for publication.

**B. Opposition**

Staff has not received any written opposition at the time this item was submitted for publication.



IRI

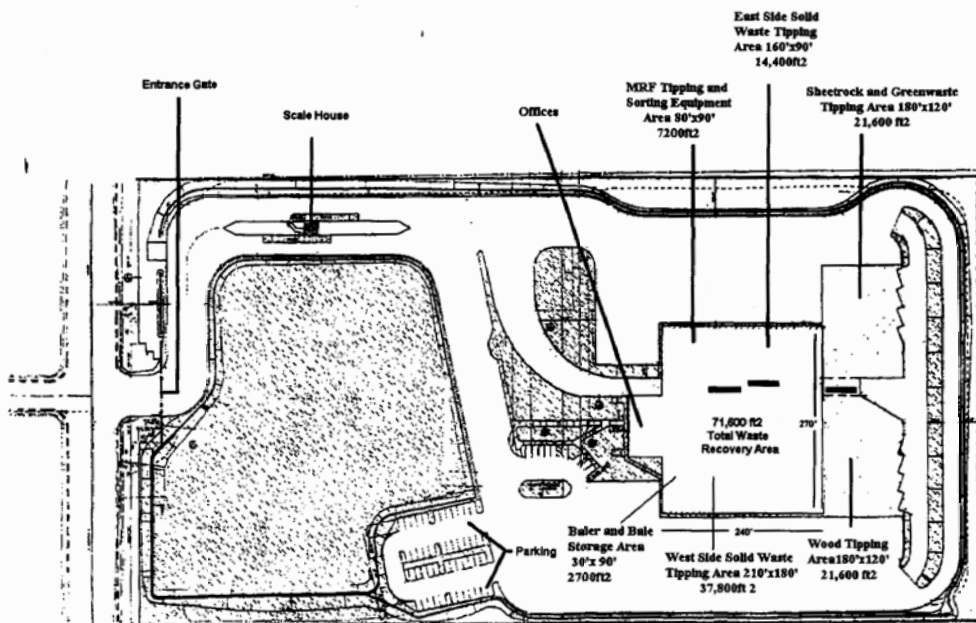
Report of Station  
Information

Figure 1-3  
Site location map  
with respect to land fills

Figure S-1  
Site Map

**ELDER CREEK TRANSFER & RECOVERY**

8642 Elder Creek Road, Sacramento, CA 95828



<b>SOLID WASTE FACILITY PERMIT</b>		<b>Facility Number:</b> <div style="text-align: center; font-weight: bold; font-size: 1.2em;">34-AA-0033</div>																																				
<b>1. Name and Street Address of Facility:</b> Elder Creek Transfer Station 8642 Elder Creek Rd. Sacramento, CA 95828	<b>2. Name and Mailing Address of Operator:</b> Allied Waste Industries AKA BFI 8642 Elder Creek Rd. Sacramento, CA 95828	<b>3. Name and Mailing Address of Owner:</b> Allied Waste Industries 15880 N. Green-Hayden Loop, Suite 100 Scottsdale, AZ 85260																																				
<b>4. Specifications:</b> <div style="margin-top: 10px;"> <b>a. Permitted Operations:</b> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Solid Waste Disposal Site  <input checked="" type="checkbox"/> Transfer/Processing Facility  <input type="checkbox"/> Composting Facility                         </div> <div> <input type="checkbox"/> Transformation Facility  <input type="checkbox"/> Other                         </div> </div> </div> <div style="margin-top: 10px;"> <b>b. Permitted Hours of Operation:</b> Waste Acceptance: 6:00 am to 5:00 pm Mon through Friday, 8:00 am to 5:00 pm Sat and Sun.                  Waste Processing: 24 hours per day, 7 days per week.             </div> <div style="margin-top: 10px;"> <b>c. Permitted Maximum Tonnage:</b> <u>2500</u> Tons per day.             </div> <div style="margin-top: 10px;"> <b>d. Permitted Traffic Volume:</b> <u>1007</u> Vehicles per day             </div> <div style="margin-top: 10px;"> <b>e. Key Design Parameters (Detailed parameters are shown on site plans bearing EA and CIWMB validations):</b> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th></th> <th>Total</th> <th>Disposal</th> <th>Transfer/Processing</th> <th>Composting</th> <th>Transformation</th> </tr> </thead> <tbody> <tr> <td>Permitted Area (in acres)</td> <td>19.26</td> <td>n/a</td> <td>19.26</td> <td>n/a</td> <td>n/a</td> </tr> <tr> <td>Design Capacity (tpd)</td> <td></td> <td>n/a</td> <td>2500 tpd</td> <td>n/a</td> <td>n/a</td> </tr> <tr> <td>Max. Elevation (Ft. MSL)</td> <td></td> <td>n/a</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Max. Depth (Ft. MSL)</td> <td></td> <td>n/a</td> <td></td> <td></td> <td></td> </tr> <tr> <td>Estimated Closure Year</td> <td></td> <td>n/a</td> <td></td> <td></td> <td></td> </tr> </tbody> </table> </div>				Total	Disposal	Transfer/Processing	Composting	Transformation	Permitted Area (in acres)	19.26	n/a	19.26	n/a	n/a	Design Capacity (tpd)		n/a	2500 tpd	n/a	n/a	Max. Elevation (Ft. MSL)		n/a				Max. Depth (Ft. MSL)		n/a				Estimated Closure Year		n/a			
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Upon a significant change in design or operation from that described herein, this permit is subject to revocation or suspension. The attached permit findings and conditions are integral parts of this permit and supersede the conditions of any previously issued solid waste facility permit.																																						
<b>5. Approval:</b>  <div style="border-top: 1px dashed black; margin-top: 10px;">                     Approving Officer Signature                      Steve Kalvelage, REHS,                      Supervising Environmental Health Specialist                 </div>		<b>6. Enforcement Agency Name and Address:</b> Sacramento County Environmental Management Department 8475 Jackson Rd. Suite 240 Sacramento, CA 95826																																				
<b>7. Date Received by CIWMB:</b> <div style="text-align: center; font-weight: bold; font-size: 1.1em;">FEB 02 2005</div>		<b>8. CIWMB Concurrence Date:</b>																																				
<b>9. Permit Issued Date:</b>	<b>10. Permit Review Due Date:</b>	<b>11. Owner/Operator Transfer Date:</b>																																				



<b>SOLID WASTE FACILITY PERMIT</b>	<b>Facility Number:</b>  <b>34-AA-0033</b>												
<b>12. Legal Description of Facility:</b> The legal description is identified on Site Map A-1 in the Transfer Processing Report (TPR) dated January 26, 2005. 8642 Elder Creek Rd, Sacramento, CA specifically Assessor Parcel Number 064-0020-008.													
<b>13. Findings:</b> <ul style="list-style-type: none"> <li>a. This permit is consistent with the Sacramento County Integrated Waste Management Plan, which was approved by the CIWMB on May 27, 1998. The location of the facility is identified in the Non Disposal Element for the City of Sacramento, which was approved by the CIWMB on March 23, 1999 pursuant to Public Resources Code (PRC), Section 50001(a).</li> <li>b. This permit is consistent with the standards adopted by the CIWMB, pursuant to PRC 44010.</li> <li>c. The design and operation of the facility is consistent with the State Minimum Standards for Solid Waste Handling and Disposal as determined by the Enforcement Agency, pursuant to PRC 44009.</li> <li>d. The Sacramento City Fire Department has determined that the facility is in conformance with applicable fire standards, pursuant to PRC, 44151.</li> <li>e. An EIR was filed with the State Clearinghouse (SCH #98012047) and certified by the Sacramento City Council on October 20, 1998. The EIR describes and supports the design and operation which will be authorized by the issuance of this permit. A Notice of Determination was filed with the State Clearinghouse on October 20, 1998.</li> <li>f. The City of Sacramento through the approval of Special Use Permit P97-095 on October 20, 1998, has made a written finding that the surrounding land use is compatible with the facility operations pursuant to PRC50000.5(b)</li> <li>g. The City of Sacramento through the approval of the Special Use Permit P97-095 on October 20, 1998 has adopted a mitigation and monitoring plan pursuant to PRC 21081.6</li> <li>h. The Sacramento Planning Commission made a finding of fact on September 9, 2004 that the Environmental Impact Report for Cal Waste's Sacramento Recycling Park (SCH#98012047) was adequate for the proposed expansion and that the project would not require a change to the EIR. The Planning Commission modified Special Use Permit P97-095 to allow 2500 tons per day.</li> <li>i. On December 8, 2004 the Sacramento County Local Enforcement Agency held a Public Hearing pursuant to the provisions of AB 1497, Public Resources Code 44004 (h).</li> </ul>													
<b>14. Prohibitions:</b> The permittee is prohibited from accepting any liquid waste, non-hazardous wastes requiring special handling not identified in the TPR, designated waste or hazardous waste unless such waste is specifically listed below, and unless the acceptance of such waste is authorized by all applicable permits. <ul style="list-style-type: none"> <li>• Exempt from this prohibition are the following recyclable household hazardous waste: 1) used motor oil; 2) motor oil filters.</li> </ul> The permittee is additional prohibited from the following items: 1) Open burning; 2) Public scavenging; 3) Sewage sludge; 4) Medical Waste.													
<b>15. The following documents describe and/or restrict the operation of this facility:</b> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <thead> <tr> <th style="width: 40%;"></th> <th style="width: 10%; text-align: center;">Date</th> <th style="width: 40%;"></th> <th style="width: 10%; text-align: center;">Date</th> </tr> </thead> <tbody> <tr> <td>Transfer Processing Report</td> <td style="text-align: center;">1/05</td> <td>EIR (SCH #98012047) Planning Commission Finding of Fact</td> <td style="text-align: center;">10/98 9/04</td> </tr> <tr> <td>Storm Water Permit (SWRCB) Annual</td> <td style="text-align: center;">8/04</td> <td>Special Use Permit Modification to SUP</td> <td style="text-align: center;">10/98 9/9/04</td> </tr> </tbody> </table>			Date		Date	Transfer Processing Report	1/05	EIR (SCH #98012047) Planning Commission Finding of Fact	10/98 9/04	Storm Water Permit (SWRCB) Annual	8/04	Special Use Permit Modification to SUP	10/98 9/9/04
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<b>SOLID WASTE FACILITY PERMIT</b>		<b>Facility Number:</b> <b>34-AA-0033</b>
<b>16. Self Monitoring:</b>  The owner/operator shall submit the results of all self monitoring programs to the Enforcement Agency within 30 days of the end of the reporting period ( <i>for example, 1st quarter is January – March, the report is due by April 30, etc.</i> )		
<b>Program</b>		<b>Reporting Frequency</b>
a.	Daily weights/volume records showing the amount of all materials including separated and commingled recyclables received by the facility and removed from the facility in tons per day.	Quarterly
b.	Log the daily quantity of recycled materials (i.e. curbside pick-up, metals, and appliances) and diverted materials (i.e. gypsum, wood waste and green waste) stored on site.	Quarterly
c.	The daily and monthly total of the number and types of vehicles utilizing the facility.	Quarterly
d.	Summary of the daily log of special occurrences, i.e. accidents, fires, explosions, hazardous waste incidents, public nuisances, unscheduled shutdowns, etc. and the operator's action in response to the event.	Quarterly
e.	Results of the hazardous waste load checking program, including the quantities and types of hazardous wastes, medical wastes or otherwise prohibited wastes found in the waste stream and the disposition of these materials.	Quarterly
f.	Logs and reports of all employee and customer injuries.	Quarterly
g.	Copies of all written complaints regarding this facility and the operator's actions taken to resolve these complaints.	Quarterly
h.	An employee training log with dates of training and course descriptions. This shall be maintained and kept current.	Copies submitted upon request by the LEA
i.	An application for revision of a Solid Waste Facility Permit.	180 days prior to making a change.
<u><b>All records must be maintained on site for review by the LEA during an inspection.</b></u>		

<b>SOLID WASTE FACILITY PERMIT</b>	Facility Number: <b>34-AA-0033</b>
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**17. Enforcement Agency (EA) Conditions:**

- a. The operator shall comply with all federal, state, and local enactments including any mitigation measures given in the certified environmental document filed pursuant to the Public Resources Code, Section 21081.6 and subsequent amendments.
- b. The operator shall comply with all State Minimum Standards for solid waste handling and disposal as specified in Title 14 California Code of Regulations.
- c. The operator shall maintain a daily log of special/unusual occurrences. This log shall include, but is not limited to, fires, explosions, the discharge and disposition of hazardous or unpermitted wastes, and significant injuries, accidents or property damage. Each log entry shall be accompanied by a summary of any actions taken by the operator to mitigate the occurrence. The log shall be available to site personnel and LEA at all times.
- d. The facility is permitted to receive non-hazardous municipal solid waste. This includes residential, commercial, industrial, and self-haul, as well as source-separated materials from curbside collection programs, commercial recycling programs, separate yard waste collection or other programs identified in the TPR. No designated, special, medical or hazardous wastes shall be accepted. The Hazardous Waste Load-Checking Program as described in the TPR shall be implemented to insure this condition.
- e. All activities including the stored material shall be handled in a manner that will prevent the attraction, breeding, and harborage of vectors and/or cause a public nuisance.
- f. All green waste shall be processed and used or removed within 48 hours of its receipt at the facility. If green waste cannot be processed and used or removed within 48 hours the green waste shall be diverted from the facility to another permitted facility/operation until such time that all green waste can be processed and used or removed within 48 hours.
- g. The facility shall implement and maintain the site-specific odor impact minimization plan as defined in the TPR.
- h. The operator shall notify the LEA within one day the response to all written complaints regarding the facility. The operator shall notify the LEA by telephone within 24 hours of all incidents requiring the implementation of emergency procedures.
- i. Additional information concerning the design and operation of the facility shall be furnished upon request and within the time frame specified by the LEA.
- j. The maximum permitted daily tonnage of all waste and materials for this facility is 2500 tons per day, and shall not receive more than this amount without a revision of this permit. The maximum storage time for recyclable materials is 30 days.
- k. The operator shall comply with all requirements of applicable laws pertaining to employee's health and safety. The operator shall ensure that a comprehensive site safety evaluation is conducted at this facility and shall maintain a written employee injury and illness prevention plan (IIPP) on site that meets all provisions of the California Code of Regulations, Title 8 Section 3203. This document must be available to all personnel, LEA and other regulatory agencies upon request.
- l. Records of employee training for health and safety, operation, and maintenance of the site shall be maintained on site and must be available for inspection by the LEA and/or other duly authorized regulatory agency.
- m. The LEA reserves the right to request and receive from the owner/operator any information that it deems necessary to conduct an inspection or to review and/or write a Solid Waste Facility permit.
- n. This permit is subject to review by the LEA and may be suspended, revoked, or revised at any time for sufficient cause.
- o. The LEA reserves the right to suspend or modify waste receiving and handling operations when deemed necessary due to an emergency, a potential health hazard, or the creation of a public nuisance.

*continued next page*

**Continued 17. Enforcement Agency (EA) Conditions :**

- p.** Any change that would cause the design or operation of the facility not to conform to the terms and conditions of this permit is prohibited. Such a change may be considered a significant change, requiring a permit revision. In no case shall the operator implement any change without first submitting a written notice of the proposed change, in the form of a TPR amendment, to the LEA at least 180 days in advance of the change.
- q.** Any change to the owner/operator of the facility would require that the LEA be notified 45 days to the change
- r.** A copy of this permit shall be maintained at the facility.

## **CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD**

### **Resolution 2005-60**

Consideration Of A Revised Full Solid Waste Facilities Permit (Transfer/Processing Station) For The Elder Creek Transfer Station, Sacramento County

**WHEREAS**, the Sacramento County Environmental Management Department, acting as the Local Enforcement Agency (LEA), has submitted to the Board for its review and concurrence with, or objection to, a revised full Solid Waste Facilities Permit for the Elder Creek Transfer Station; and

**WHEREAS**, the proposed permit will allow an increase in daily tonnage from 2,000 to 2,500 tons per day; and

**WHEREAS**, the City of Sacramento, acting as lead agency, prepared and certified on October 20, 1998 an Environmental Impact Report, (EIR) (SCH# 1998012047) to comply with the requirements of the California Environmental Quality Act (CEQA); and

**WHEREAS**, the LEA has certified that the application package is complete and correct and that the proposed revised permit is supported by the existing CEQA documentation; and

**WHEREAS**, the Board finds that the proposed permit is in compliance with CEQA, and

**WHEREAS**, the Board staff have evaluated the proposed permit for consistency with the standards adopted by the Board; and

**WHEREAS**, the Board finds that all state and local requirements for the proposed permit have been met, and the proposed revised permit is consistent with the standards that have been adopted by the Board; and

**NOW, THEREFORE, BE IT RESOLVED**, that the California Integrated Waste Management Board concurs with the issuance of Solid Waste Facilities Permit No. 34-AA-0033.

### **CERTIFICATION**

The undersigned Executive Director, or his designee, of the California Integrated Waste Management Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the California Integrated Waste Management Board held on March 15-16, 2005

Dated:

Mark Leary  
Executive Director